

Appl. No. : 10/044,304
Filed : October 25, 2001

placing a lens in front of said eye, said lens comprising a wavefront aberrator that warps said image around said dysfunctional retinal tissue such that said portion of an image is seen by said patient.

11. (New) The method of claim 10 in which said lens is the lens of claim 3.

REMARKS

Applicants respectfully request entry of the instant Preliminary Amendment. All of the proposed changes are supported in the specification and thus there is no issue of new matter. The proposed changes do not narrow the scope of the claims. According to the PTO PAIR database, this application has not yet been docketed for examination. Therefore, Applicants respectfully submit that entry of the instant Preliminary Amendment is proper because such entry will not interfere with the preparation of a first Office Action. See 37 C.F.R. § 1.115.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 7, 2002

By:

Joseph J. Mallon
Joseph J. Mallon
Registration No. 39,287
Attorney of Record
620 Newport Center Drive
Sixteenth Floor
Newport Beach, CA 92660
(619) 235-8550

FAX COPY RECEIVED
AUG 7 2002

S:\DOCS\JOM\JOM-3553.DOC
080702

TECHNOLOGY CENTER 2800

Appl. No. : 10/044,304
Filed : October 25, 2001

VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Amended) A method [of] for making a lens, comprising: [an eyeglass capable of compensating low and higher order aberrations, the method comprising the steps of:]
imaging [the] a patient's eye [in order] to determine a wavefront prescription;
selecting a first lens;
coating said first lens with [epoxy,] a material having an index of refraction that can be changed by exposure to ultraviolet radiation; and
curing said [epoxy] material on said first lens in accordance with [to match] said wavefront prescription.
2. (Amended) The method of claim 1 further comprising[the steps of]:
selecting a second lens; and
placing said second lens on said [coated surface] material such that said [epoxy] material is sandwiched [in] between [the two lenses] said first lens and said second lens.
3. (Amended) A lens comprising:
a first area having a constant index of refraction[area]; and
at least one second area having a varying index of refraction[area].
4. (Amended) The lens of claim 3 wherein said second area [varying index of refraction area] lies along an [the] optical axis of a [the] patient.
5. (Amended) The lens of claim 3 comprising at least a third area having a [formed with a plurality of zones comprising areas of] varying index of refraction [on the lens, and wherein each zone lies along the optical axis of the patient for a gazing angle and] that corrects higher order aberrations.
6. (Amended) The lens of claim 3 [wherein] in which said second area [varying index of refraction] lies along an optical axis of a [the] patient and corrects higher order aberrations for a first discrete gazing angle, and [wherein] in which said first area [constant index

Appl. No. : 10/044,304
Filed : October 25, 2001

of refraction] lies along [the] said optical axis of said [the] patient and corrects lower order aberrations for a second discrete viewing angle.

7. (Amended) The lens of claim 3 [wherein] in which said first [constant index of refraction] area corrects for the distant vision of a patient and said second area [plurality of zones comprising areas of varying index of refraction on the lens, each zone] corrects for the near vision of said [for the] patient.

8. (Amended) The lens of claim 3 [wherein] in which said second area corrects [varying index of refraction is constructed so as to correct] higher order aberrations resulting from dysfunctional [damaged] retinal tissue.